

REMARKS

This application has been reviewed in light of the Office Action dated April 5, 2004. Claims 1-24 are pending in this application. Claims 1-8 and 21-24 have been amended merely to correct informalities.¹ Claims 1-24 are in independent form. Favorable reconsideration is requested.

Initially, Applicants gratefully acknowledge the indication that Claims 1-17 and 21-24 have been allowed.

Claims 18-20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,939,824 (*Kishi et al.*).

Applicants respectfully submit that *Kishi et al.* does not qualify as prior art under Section 102(b) because it was not published more than one year prior to the filing date of the present application. Indeed, *Kishi et al.* was published on August 17, 1999, whereas the present application was filed less than one year later, on February 25, 2000. Therefore, removal of the Section 102(b) rejection is respectfully requested.

Moreover, Applicants submit that Claims 18-20 are patentably distinguishable over *Kishi et al.* for the following additional reasons.

Claim 18 is directed to an electron-emitting device, comprising a deposit composed chiefly of carbon including a graphite structure, and an electrode electrically connected to the deposit, wherein one or more elements selected from the group consisting of potassium, sodium, calcium, strontium, and barium are contained in the deposit.

¹/These amendments were made for purposes unrelated to patentability, and no change in scope is either intended or believed effected by the amendments.

One notable aspect of Claim 18 is that the deposit contains one or more elements selected from the group consisting of potassium, sodium, calcium, strontium, and barium.

Page 2 of the Office Action cites *Kishi et al.* as disclosing “an electron-emitting device (Fig. 6) comprising: a deposit (4) composed of carbon (col. 9, lines 17-65 and col. 11, lines 1-39), wherein carbon compound appeared as a graphite structure; an electrode (2, 3) electrically connected to the deposit (4) (col. 10, lines 20-25), wherein the deposit contains potassium (TABLE 1); and wirings connected to the electron-emitting device (Figs. 6 and 8) and phosphor (col. 17, lines 15-23).”

However, Applicants respectfully submit that nothing in *Kishi et al.* would teach or suggest a deposit containing one or more elements selected from the group consisting of potassium, sodium, calcium, strontium, and barium, in the context of the device of Claim 18. Indeed, Table 1 of *Kishi et al.* makes no mention whatsoever of potassium (K), as alleged by the Office Action.

As such, Claim 18 is believed to be patentable over *Kishi et al.*

If the Examiner still believes, after considering the foregoing remarks, that Table 1 of *Kishi et al.* discloses potassium, he is respectfully requested to point out specifically where in the table such an element appears.

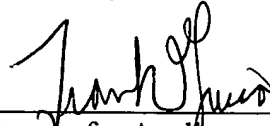
Independent Claims 19 and 20 recite features relating to a deposit, that are substantially similar to those of Claim 18 emphasized above, and are believed to be patentable over *Kishi et al.* for substantially the same reasons discussed above for Claim 18.

All of the claims are believed to be allowable.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



Attorney for Applicants

Registration No. 42476

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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